

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EASTON HARVEY,

Plaintiff,

v.

CALIFORNIA RECONVEYANCE
COMPANY, et al.,

Defendants.

Case No. 2:09-CV-02025-KJD-RJJ

ORDER

Plaintiff filed his Complaint on October 19, 2009. On April 6, 2010, the Court issued a Notice of Intent to Dismiss (#12), indicating that Plaintiff had not yet filed proper proof of service of summons and complaint on proposed Defendants “National Association, Shell Company, Trustee for Unknown Trust, Beneficiary of Unknown Trust, Master Servicer and Holder of the Note” as required by Fed. R. Civ. P. 4(m), and warning Plaintiff that the case would be dismissed if proper proof of service was not filed on or before May 6, 2010.

Fed. R. Civ. P. 4(m) requires that a defendant be served with notice of summons and complaint within 120 days of the filing of the complaint. Here, as Plaintiff’s Complaint was filed on October 19, 2009, service of the summons and complaint was required on or before February 16,

1 2010. In spite of the Court's admonition however, to date, Plaintiff has failed to file proper proof of
2 service upon said proposed Defendants.

3 Accordingly, as all other proposed Defendants have previously been dismissed from this
4 action, **IT IS HEREBY ORDERED** that Plaintiff's Complaint is **DISMISSED** pursuant to Fed. R.
5 Civ. P. 4(m).

6 DATED this 14th day of July 2010.

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Kent J. Dawson
United States District Judge